

Issued September 27, 1912.

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1656.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF COTTONSEED HULLS.

On November 22, 1911, the United States Attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 252 sacks of cottonseed hulls, each purporting to contain 100 pounds, remaining unsold in the original unbroken packages and in possession of T. F. McGahee, Atlanta, Ga., alleging that the product had been shipped on November 4, 1911, by the McCaw Manufacturing Co., Hurtsboro, Ala., and transported from the State of Alabama into the State of Georgia, and charging misbranding in violation of the Food and Drugs Act. The product was labeled: "100 Lbs. Cotton Seed Hulls Manufactured by McCaw Manufacturing Co., Macon, Ga."

Misbranding was alleged in the libel for the reason that the contents of the sacks of the product were stated in terms of weight, to wit, in figures thereon, indicating the number of pounds each sack contained, but they were not correctly stated thereon, the number of pounds indicated on said sacks being more in some cases and less in others than the actual number of pounds contained in said sacks, and the 252 sacks of the product were labeled and branded so as to deceive and mislead the purchaser in this respect, to wit, that they did not contain the number of pounds of cottonseed hulls they purported to contain as stated and indicated by the label, figures, and marks thereon.

On November 27, 1911, the McCaw Manufacturing Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered and it was further ordered that upon payment of costs by said claimant and the execution of a bond in the sum of \$250, in conformity with section 10 of the Act, the product should be released and delivered to said claimant.

W. M. HAYS,

Acting Secretary of Agriculture.

WASHINGTON, D. C., *July 15, 1912.*